Qwest Corporation Law Department (612) 672-8927-Phone (612) 672-8911-Fax

Joan C. Peterson Corporate Counsel



April 25, 2006

Patricia Van Gerpen Executive Director South Dakota Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501

Re: In the Matter of the Petition for Arbitration and Approval of Interconnection Agreements between Qwest Corporation and Dakota Electronics, Golden West Technologies, Inc., Nextel West Corp., Vantek Communications, Inc. and Priority Paging, Inc. Docket No. TC06-022

Dear Ms. Van Gerpen:

Enclosed for filing are the original and 10 copies of Qwest Corporation's Motion to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in *T-Mobile Order* as to Respondent Dakota Electronics regarding the above-referenced matter.

Very truly yours,

Joan C. Peterson

JDT/bardm

Enclosures

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of April, 2006, the original and 10 copies of the foregoing Qwest Corporation's Motion to Dismiss Petition for Approval of Interconnection Agreements to Implement FCC Ruling in *T-Mobile Order* as to Respondent Dakota Telectronics were served upon the following party:

Patricia Van Gerpen Executive Director South Dakota Public Utilities Commission 500 East Capitol Avenue Pierre, SD 57501

and copies sent electronically or via U.S. mail, addressed to the following:

Golden West Technologies, Inc. 2727 North Plaza Drive Rapid City, SD 57702

Vantek Communications, Inc. c/o Stacey R. Hennen 2101 West 41<sup>st</sup> Street, Suite 2000 PO Box 495 Sioux Falls, SD 57101-0495

Priority Paging, Inc. c/o 235 Crandon Blvd. S-4 Key Biscayne, FL 33149 Dakota Electronics 424 Brown County 19 South Aberdeen, SD 57401

Nextel West Corp. c/o Corporation Service Company 503 South Pierre Street Pierre, SD 57501-4522

Dianne Barthel

## STATE OF SOUTH DAKOTA BEFORE THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Petition for Arbitration and Approval of Interconnection Agreements between Qwest Corporation and Dakota Electronics, Golden West Technologies, Inc., Nextel West Corp., Vantek Communications, Inc. and Priority Paging, Inc.

Docket No. TC06-022

# MOTION TO DISMISS PETITION FOR APPROVAL OF INTERCONNECTION AGREEMENTS TO IMPLEMENT FCC RULING IN *T-MOBILE ORDER* AS TO RESPONDENT DAKOTA ELECTRONICS

Pursuant to Rule 20:10:01:02.4, Qwest Corporation ("Qwest") moves the South Dakota Public Utilities Commission (the "Commission") to dismiss on Qwest's own motion Qwest's Petition for Approval of Interconnection Agreements to Implement FCC Ruling in *T-Mobile Order* as to Respondent Dakota Electronics.

#### I. BACKGROUND AND INTRODUCTION

On March 17, 2006, Qwest submitted a Petition with the Commission for an order pursuant to 47 U.S.C. § 252(b) approving an interconnection agreement between Qwest and wireless and paging carriers to implement the ruling of the Federal Communications Commission ("FCC") in *In the Matter of Developing a Unified Intercarrier Compensation Regime, T-Mobile et al. Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs,* CC Docket 01-92, FCC 05-42, (Released February 24, 2005) (the "*T-Mobile Order*").

Since submitting the above-referenced Petition, Qwest has successfully negotiated a Type 1 and Type 2 Paging Connection Service Agreement with Dakota Electronics. Qwest states that it no longer considers Dakota Electronics to be a respondent in the above-referenced Docket and respectfully requests that it be dismissed from the Petition.

### II. CONCLUSION

For the reasons set forth herein, Qwest respectfully moves that the Commission dismiss respondent Dakota Electronics from Qwest's Petition for Approval.

DATED this 25th day of April, 2006.

**QWEST CORPORATION,** 

Joan C. Peterson

Qwest Corporation

200 South Fifth Street, Room 2200

Minneapolis, MN 55402

(612) 672-8927